

REMARKS

Claims 49 and 62-63 are amended. Claims 49-66 are pending in the application. Claims 50-54 and 57-59 are withdrawn from consideration as being directed toward a non-elected species. Claims 49, 55-56 and 60-66 are currently under consideration.

Claim 49 stands objected to due to informalities. The Examiner indicates that the recited phrase “silicon-nitride-comprising” should be replaced with “silicon nitride-comprising”, and that in the following line the recited “first silicon dioxide layer” should be replaced with “first silicon dioxide-comprising”. With respect to the Examiner’s suggestion regarding the recited “silicon-nitride-comprising”, claim 49 is amended as suggested by the Examiner. However, with respect to the Examiner’s suggestion regarding the recited “first silicon dioxide layer”, such recitation has proper antecedent basis earlier in the claim and is therefore correctly recited.

Claim 62 stands objected to based on informalities. The Examiner indicates that the recited “insulator layer being formed to comprising:” should be amended to correct a typographical error. Claim 62 is amended appropriately. The Examiner further indicates with respect to claim 62 that the recited “silicon nitride-comprising” should be replaced with “silicon nitride comprising”. Applicant notes that independent claim 62 is amended to insert grammatical hyphenation. Accordingly, the recited “silicon nitride-comprising” is consistent throughout the claim, as amended. Accordingly, withdrawal of the objection to claim 62 is respectfully requested.

Claim 63 is amended to provide improved claim format.

Claims 49, 55-56 and 60-66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kunikiyo, U.S. Patent No. 6,661,065; as combined with Yu, U.S. Patent

No. 6,664,146; or over the combination of Kunikiyo and Yu as further combined with either Xiang, U.S. Patent No. 6,410,938; or Henley, U.S. Patent No. 6,048,411. The Examiner is reminded by direction to MPEP § 2143 that a proper obviousness rejection has the following three requirements: 1) there must be some suggestion or motivation to modify or combine reference teachings; 2) there must be a reasonable expectation of success; and 3) the combined references must teach or suggest all of the claim limitations. Claims 49, 55-56 and 60-66 are allowable over the various cited combinations of Kunikiyo, Yu, Xiang and Henley for at least the reason that the references, individually or as combined, fail to disclose or suggest each and every limitation in any of those claims.

As amended, each of independent claims 49 and 62 recites a silicon nitride-comprising region intermediate a first and second silicon dioxide-comprising region, where the silicon-nitride-comprising region runs along only a portion of a channel region. The amendment to claims 49 and 62 is supported by the specification at, for example, page 11, line 23 through page 13, line 2; Figs. 7-9; and the claims as originally filed. Kunikiyo discloses various channel regions disposed over insulative layers. However, Kunikiyo does not disclose or suggest the claims 49 and 62 recited silicon nitride-comprising region which runs along only a portion of a channel region. Accordingly, independent claim 62 is not rendered obvious by Kunikiyo.

Not one of the additionally cited references, when considered in combination with Kunikiyo, contributes toward suggesting the claims 49 and 62 recited silicon nitride-comprising region which runs along only a portion of a channel region. Accordingly, independent claims 49 and 62 are not rendered obvious by the various cited combinations of Kunikiyo, Yu, Xiang and Henley and are allowable over these references.

Dependent claims 55-56, 60-61 and 63-66 are allowable over the cited combinations of Kunikiyo, Yu, Xiang and Henley for at least the reason that they depend from corresponding allowable base claims 49 and 62.

For the reasons discussed above, claims 49, 55-56 and 60-66 are allowable. Accordingly, applicant respectfully requests formal allowance of such claims in the Examiner's next action.

Respectfully submitted,

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